

Form 09 - AFFIDAVIT OF ATTEMPTED SERVICE

HAYNES & BOONE

ATTN:

U.S. SOUTHERN DIST. COURT NEW YORK COUNTY

SAMSARA INVESTMENT III, LLC plaintiff

- against -

JERRY L. WALLACE defendant

Index No. 9385/07

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

STANLEY P. TOMASETTI being duly sworn, deposes and says: I am over 18 years of age, not a party to this action and reside in the State of New York

That on 1) 10/23/2007 At

2) / / At

3) / / At

deponent attempted to make personal service of a true copy of the

SUMMONS AND COMPLAINT

in the above entitled action upon

JERRY L. WALLACE

the DEFENDANT at %NATIONAL REGISTERED AGENTS INC.- AUTHORIZED AGENT

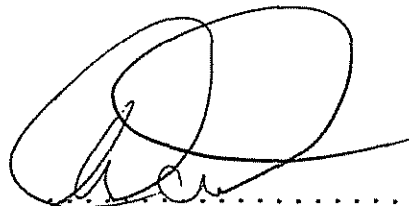
875 AVE OF AMERICAS, STE 501, NEW YORK, NY 10001

and was unable to do so.

DEPONENT ATTEMPTED TO SERVE JERRY L. WALLACE THE DEFENDANT AT NATIONAL REGISTERED AGENTS INC. (AUTHORIZED AGENT) 875 AVE OF AMERICAS, STE 501, NY, NY 10001 BUT WAS UNABLE TO DO SO. DEPONENT SPOKE TO THERESA FESTA WHO STATED SHE WOULD NOT ACCEPT SERVICE FOR JERRY L WALLACE THE DEFENDANT HEREIN. BECAUSE THEY HAVE NO RECORD OF BEING HIS AGENT.

Sworn to before me this
2nd day of November, 2007tm

JOEL GOLUB
Notary Public, State of New York
No. 01G04751136
Qualified in MASSAU COUNTY
Commission Expires 12/31/2009



STANLEY P. TOMASETTI 1192468
AETNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No. 7HB877895

National Registered Agents, Inc.
875 Avenue of the Americas
Suite 501
New York, NY 10001
Telephone - 212 356-8351
Fax - 212 356-8352

To: Whom It May Concern

From: Theresa Festa

Date: October 23, 2007

RE: Jerry L. Wallace

National Registered Agents, Inc. cannot accept service of process for individuals, only corporations. I have called the main office of National Registered Agents, Inc, and was advised that they do not have a record of the above individual in their database.

Theresa Festa
Sr. Corporate Specialist

NewCo
Corporate Services, Inc.

Theresa Festa
875 Avenue of the Americas
Suite 501
New York, New York 10001
Tel: (212) 356-8340
Fax (212) 356-8379



Internet Address: Theresa@NewCoCorporate.com

SDO 440 (Rev. 1/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Samsara Investment III, LLC,

Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

Jerry L. Wallace,

Defendant.

CASE NUMBER:

ORIGINAL

07 CIV 9385

JUDGE KEENAN

TO: (Name and address of Defendant)

Jerry L. Wallace

4458 Ocean View Drive

Destin, Florida 32451

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kenneth J. Rubinstein

Jason A. Nagi

Haynes and Boone, LLP

153 East 53rd Street, Suite 4900

New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you or the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 19 2007

CLERK

DATE

by) DEPUTY CLERK

SAO 440 (Rev. /01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>11/15/07</u> <u>740 AM</u>
NAME OF SERVER (PRINT) <u>GEORGE C. DUKE</u>	TITLE <u>COURT CERTIFIED PROCESS SERVER</u>
Check one box below to indicate appropriate method of service	

☒ Served personally upon the defendant. Place where served:
4458 Ocean View Drive, Destin, FL

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

RAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

11/15/07
Date

Signature of Server

George C. Duke

P.O. Box 241, Shelton, FL 32579
Address of Server